

IN THE SUPREME COURT OF THE STATE OF DELAWARE

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|--------------------|------------------------------|
| JAMES ST. LOUIS, | § |
| | § No. 599, 2011 |
| Defendant Below- | § |
| Appellant, | § |
| | § |
| v. | § Court Below—Superior Court |
| | § of the State of Delaware, |
| STATE OF DELAWARE, | § in and for Sussex County |
| | § Cr. ID 0009015005 |
| Plaintiff Below- | § |
| Appellee. | § |

Submitted: December 29, 2011

Decided: January 17, 2012

Before **STEELE**, Chief Justice, **JACOBS**, and **RIDGELY**, Justices.

ORDER

This 17th day of January 2012, upon consideration of the State's motion to dismiss and the appellant's response thereto, it appears to the Court that:

(1) The appellant, James St. Louis, filed this appeal from a decision of the Superior Court dated October 25, 2011. The Superior Court's order denied St. Louis' motion for appointment of counsel, motion for expansion of record, motion to compel, and motion for a subpoena. The State has filed a motion to dismiss St. Louis' appeal on the ground that this Court lacks jurisdiction to hear this criminal interlocutory appeal.¹ We agree.

¹ St. Louis filed a purported response to the State's motion to dismiss. His response, however, fails to address the State's argument that this Court lacks jurisdiction to hear this interlocutory criminal appeal.

(2) Under the Delaware Constitution, this Court may only review a final judgment in a criminal case.² The Superior Court's denial of St. Louis' requests for counsel and discovery, presumably in order to pursue a postconviction remedy, is clearly an unappealable interlocutory ruling.³ As a result, this Court does not have jurisdiction to review this appeal.⁴

NOW, THEREFORE, IT IS ORDERED that the within appeal is hereby DISMISSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

² Del. Const. art. IV, § 11(1)(b).

³ See *Robinson v. State*, 704 A.2d 269, 271 (Del. 1998); *Browne v. State*, 1992 WL 21146 (Del. Jan. 21, 1992).

⁴ See *Gottlieb v. State*, 697 A.2d 400 (Del. 1997).